Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-38 and 41-44 are pending in the application, with claims 1, 7, 15, 16, 23, 24, 29, and 30 being the independent claims. Claims 39 and 40 were previously cancelled without prejudice to or disclaimer of the subject matter therein. Claims 1-5, 7-11, 13, 15-18, 20, 24, 29, 30, and 32 are sought to be amended. Support for amendments to independent claims 1, 7, 15, 16, 24, 29, and 30 can be found, for example, at paragraphs [0027] and [0033] of the Specification. Applicants reserve the right to prosecute similar or broader claims, with respect to the amended and/or cancelled claims, in the future. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Objection to the Specification

The Specification was objected to as allegedly failing to provide proper antecedent basis for the claimed subject matter. Applicants respectfully traverse this objection.

Without acquiescing to the propriety of the objection, the Specification, at paragraph [0050] is sought to be amended for clarification. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the objection.

Objection to Claim 30-36

Claims 30-36 were objected to as "computer-readable medium" is allegedly not defined clearly in the Specification, so that the meaning of the term in the claims is not ascertainable by references to the Specification. Applicants respectfully traverse this objection.

Without acquiescing to the propriety of the objection, the Specification, at paragraph [0050] is sought to be amended for clarification to expedited prosecution. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the objection.

Rejection under 35 U.S.C. § 112

Claims 1,7, 9, 15, and 16 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Applicants respectfully traverse this rejection.

The Examiner, on page 4 of the Office Action, states:

> The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There does appear to be any disclosure for the terms: "first request", "second request" and "third request". There does not appear to be any distinction between requests in the specification.

Applicants respectfully disagree. The Specification clearly describes the requests that are received (and/or submitted) at a processing device (and/or to a resolution authority) in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. For example, FIG.

1, requests 114, 118, and 122, and the specification, at paragraphs [0024], [0030], and [0033], clearly describe the requests.

For example, paragraph [0024] of the specification recites, *inter alia*:

> The MAC security level 104 may grant access to the access candidate 108 in any of a variety of ways. Preferably, the MAC sponsor 112 submits an access request 114 as an indication that the MAC sponsor 112 desires to have MAC access granted to the access candidate 108. ...

For example, paragraph [0030] of the specification recites, *inter alia*:

> Access through the DAC security level 106 may be granted by submitting an access request 118 from a DAC sponsor 120 on behalf of the access candidate 108. ...

For example, paragraph [0033] of the specification recites, *inter alia*:

> Should the comparison performed by the DAC security level 106 indicate that access to one or more data classes of the secured data is prohibited without authorization, the DAC security level 106 may submit a resolution request 122 to a resolution authority 124. ...

For at least these reasons, Applicants respectfully submit that claims 1,7, 9, 15, and 16 comply with the written description requirement.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection, and find claims 1,7, 9, 15, and 16 allowable.

Rejection under 35 U.S.C. § 101

Claims 30-36 were rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicants respectfully traverse this rejection.

While not conceding the basis for the rejection and solely to expedite prosecution, claim 30 is sought to be amended. Amended claim 30 recites, *inter alia*, "a non-transitory computer-readable medium."

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Applicants note that a "non-transitory computer-readable medium," as recited by amended claim 30, comprises all computer-readable media, with the sole exception being a transitory, propagating signal.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection, and find claims 30-36 allowable.

Rejections under 35 U.S.C. § 103

Claims 1, 7, 16, 24, 29, and 30

Claims 1-4, 7-10, 14, 16-19, 24-26, 29-33, and 37-40[1] were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,041,412 to Timson et al. ("Timson") in view of U.S. Patent No. 6,959,336 to Moreh et al. ("Moreh") and further in view of U.S. Patent No. 6,839,843 to Bacha et al. ("Bacha"). Applicants respectfully traverse this rejection and the "Response to Arguments" section at pages 2 and 3 of the Office Action.

Without acquiescing to the propriety of the rejection, independent claims 1, 7, 16, 24, 29, and 30 are clarified to expedited prosecution. Independent claims 1, 7, 16, 24, 29, and 30 recite features that distinguish over the applied references. For example, claim 1 recites, *inter alia*:

> determining, using the processing device, whether access candidate attributes satisfy access requirements of the resources, ***wherein the access candidate attributes are revisable based, at least in part, on a determination indicating that access to the first level is prohibited.***

For example, claim 7 recites, *inter alia*:

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[1] Claims 39 and 40 were previously canceled.

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determining, using the processing device, whether access candidate attributes satisfy access requirements of physical access, *wherein the access candidate attributes are revisable based, at least in part, on a determination indicating that physical access is prohibited*.

For example, claim 16 recites, *inter alia*:

means for evaluating a first request for access to one or more resources in the computer network, wherein the resources secure the electronic data, wherein an evaluation of the first request includes a first comparison of one or more attributes of the access candidate with one or more access requirements associated with the resources, and *wherein the one or more attributes of the access candidate are revisable if the first comparison indicates that access is prohibited*.

For example, claim 24 recites, *inter alia*:

wherein the one or more attributes of the access candidate are revisable based, at least in part, on a determination denying access to the secured electronic data.

For example, claim 29 recites, *inter alia*:

wherein the one or more attributes of the access candidate are revisable based, at least in part, on a determination denying access to the secured electronic data.

For example, claim 30 recites, *inter alia*:

comparing, using the processing device, one or more attributes of an access candidate with one or more access requirements associated with the first security level, *wherein the one or more attributes of the access candidate are revisable based, at least in part, on a determination indicating that access by the access candidate to the first security level is prohibited.*

These features are neither disclosed nor suggested by the applied references.

Timson discloses an apparatus and a method for providing access to secured data or area that includes at least two secure data modules, an interrogatable module (IM) and

an enable module (EM). In Timson's system, it is "determine[d] whether the enabling module is authorized to perform data operations on data contained on the interrogatable module" (Thomson column 3, lines 14-16). "[I]n response to the challenge from the interrogatable module ... the enabling module issues a response ... informing that ... whether the enabling module has permission to perform data operations on the interrogatable module data" (Thomson column 3, lines 21-27). "If it is determined that the enabling module does not have the appropriate permissions ... the response from the enabling module is negative and no data communication is allowed" (Thomson column 3, lines 28-33). Further, "[t]he interrogatable module will respond to the request [for data] from the enabling module by issuing a challenge to the enabling module ... to determine whether the permissions stored on the enabling module allow the enabling module to access the requested data stored on the interrogatable module. If the enabling module does not provide the necessary permissions data in form of a response to the challenge, ... the interrogatable module prevent[s] the requested data from being accessed by the enabling module" (Thomson column 4, lines 1-15). Therefore, if the IM determines that the EM does not have appropriate permissions for data operation (and/or necessary permission for data access), the data communication (and/or the access to secured data) is denied. There is no teaching or suggestion in Timson that the EM's permissions are revisable based, at least in part, on a determination indicating that an access by the EM was denied, as recited independent claims 1, 7, 16, 24, 29, and 30, using their respective language.

Further, Moreh, as used by the Examiner to allegedly show the resolution authority, does not teach or disclose the above-noted distinguishing features of claims 1, 7, 16, 24, 29, and 30. The Examiner, on page 8 of the Office Action, relies on a protocol

proxy 34 of Moreh to allegedly show the resolution authority, which Applicants respectfully disagree. The protocol proxy of Moreh is only used between a client and an authentication mechanism to receive from the authentication mechanism a response including attributes and access rights of the subject and to create an authentication name assertion allowing the client to access a server application (Moreh column 6, lines 7-19 and column 2, lines 57-62). There is no teaching or suggestion in Moreh that the attributes and access rights of the subject are revisable based, at least in part, on a determination indicating that an access by the subject is denied, as recited independent claims 1, 7, 16, 24, 29, and 30, using their respective language.

Moreover, on page 8 of the Office Action the Examiner states that Bacha allegedly teaches, which Applicants do not acquiesce to, "modifies the access requirements." However, Bacha is not used to teach or suggest, nor does Bacha teach or suggest, at least the above-noted distinguishing features of claims 1, 7, 16, 24, 29, and 30. Therefore, Bacha cannot cure the deficiencies of Timson and Moreh.

Bacha discloses "a secure data repository and exchange system administered by a third party data custodian in which access control is enforced on data retrieval" (Bach, column 1, lines 17-21). "[E]ach document has, associated with it, an access control list (ACL) which identifies the access authorization to the document for different users" (Bacha, column 9, lines 36-38). Bacha discloses that "[s]ome environments require that a document originator be able to allow someone else to modify the access list of the given document" (Bacha, column 10, lines 46-48). However, Bacha's modification to the access list of a document is not the same or similar to access candidate attributes being revisable based, at least in part, on a determination that an access is denied, as recited independent claims 1, 7, 16, 24, 29, and 30, using their respective language.

Thus, as Bacha fails to cure the deficiencies of Timson and Moreh as noted above, the applied references cannot be used to establish a prima facie case of obviousness. Therefore, claims 1, 7, 16, 24, 29, and 30 are allowable over Timson, Moreh, and Bacha taken alone or in combination for at least the reasons provided above.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection, and find claims 1, 7, 16, 24, 29, and 30 allowable over the applied references. Also, at least based on their respective dependencies to claims 1, 7, 16, 24, and 30, claims 2-4, 8-10, 14, 17-19, 25, 26, 31-33, 37, and 38 should be found allowable over the applied references, as well as for their respective additional distinguishing features.

Claims 15 and 23

Claims 5, 6, 11-13, 15, 20-23, 27, 28, 34-36, and 41-44 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Timson in view of Moreh and further in view of Bacha and in further view of U.S. Patent Application Publication No. 2004/0049687 to Orsini et al. ("Orsini"). Applicants respectfully traverse this rejection and the "Response to Arguments" section at pages 2 and 3 of the Office Action.

Claim 15

Without acquiescing to the propriety of the rejection, independent claim 15 is clarified to expedited prosecution. Independent claim 15 recites features that distinguish over the applied references. For example, claim 15 recites, *inter alia*:

> determining, using the processing device, whether the access candidate attributes satisfy access requirements of the first security level, ***wherein the access candidate attributes are revisable based, at least in part, on a***

> *determination indicating that access to the first security level is prohibited.*

These features are neither disclosed nor suggested by the applied references. As discussed above, Timson, Moreh, and Bacha taken alone or in combination do not disclose or suggest the above-noted distinguishing features of claim 15.

Further, on page 19 of the Office Action the Examiner states that Orsini allegedly teaches, which Applicants do not acquiesce to, "b) at least a citizenship requirement and a location requirement for access to data associated with the at least one data class;" and "c) an indication of a citizenship status of the access candidate, an indication of a current location of the access candidate, and an indication of an existence of a data access agreement with the access candidate". However, Orsini is not used to teach or suggest, nor does Orsini teach or suggest, at least the above-noted distinguishing features of claim 15. Thus, as Orsini fails to cure the deficiencies of Timson, Moreh, and Bacha as noted above, the applied references cannot be used to establish a prima facie case of obviousness. Therefore, claim 15 is patentable over Timson, Moreh, Bacha, and Orsini taken alone or in combination for at least the reasons provided above.

Claim 23

Independent claim 23 recites features that distinguish over the applied references. For example, claim 23 recites, *inter alia*:

> *identify one or more data access controllers corresponding to the one or more portions of the electronic data*, and
> *forward the request for access to the one or more identified data access controllers for evaluation* regarding whether to grant access to the corresponding one or more portions of the electronic data.

These features are neither disclosed nor suggested by the applied references. The Examiner relies on Timson to allegedly show the above-noted distinguishing features of claim 23. Applicants respectfully disagree.

As discussed earlier, in Timson's system, it is "determine[d] whether the enabling module is authorized to perform data operations on data contained on the interrogatable module" (Thomson column 3, lines 14-16). "[I]n response to the challenge from the interrogatable module ... the enabling module issues a response ... informing that ... whether the enabling module has permission to perform data operations on the interrogatable module data" (Thomson column 3, lines 21-27). "If it is determined that the enabling module does not have the appropriate permissions ... the response from the enabling module is negative and not data communication is allowed" (Thomson column 3, lines 28-33). Further, "[t]he interrogatable module will respond to the request [for data] from the enabling module by issuing a challenge to the enabling module ... to determine whether the permissions stored on the enabling module allow the enabling module to access the requested data stored on the interrogatable module. If the enabling module does not provide the necessary permissions data in form of a response to the challenge, ... the interrogatable module prevent[s] the requested data from being accessed by the enabling module" (Thomson column 4, lines 1-15). Therefore, Timson discloses that the EM and IM communicate to evaluate permissions for data access and/or operations. However, there is no teaching or suggestion that Timson's system is able to identify one or more data access controllers and to forward a request to the identified data access controllers for evaluation of granting access, as disclosed in claim 23, using its respective language.

Further, Moreh, Bacha, and Orsini are not used to teach or suggest, nor do Moreh, Bacha, and Orsini teach or suggest, at least the above-noted distinguishing features of claim 23. Thus, as Moreh, Bacha, and Orsini fail to cure the deficiencies of Timson as noted above, the applied references cannot be used to establish a prima facie case of obviousness. Therefore, claim 23 is allowable over Timson, Moreh, Bacha, and Orsini taken alone or in combination for at least the reasons provided above.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection, and find claims 15 and 23 allowable over the applied references. Also, at least based on their respective dependencies to claims 1, 7, 15, 16, 24, and 30, claims 5, 6, 11-13, 20-22, 27, 28, 34-36, and 41-44 should be found allowable over the applied references, as well as for their respective additional distinguishing features.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Glenn J. Perry
Attorney for Applicants
Registration No. 28,458

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1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
1140995_3.DOC